

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAUN DEWAYNE TUCKER, et al.,

Plaintiffs,

VS.

DALLAS COUNTY SHERIFF'S
DEPARTMENT DETENTION
DIVISION,

Defendant.

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Civil Action No. 3:05-CV-1591-D

ORDER

After making an independent review of the pleadings, files, and records in this case, and the November 29, 2005 findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct as to plaintiff Julio Cesar Ponce ("Ponce"). It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted as to Ponce, and his action is dismissed without prejudice by Fed. R. Civ. P. 54(b) judgment filed today. The action of plaintiff Shaun Dewayne Tucker remains pending at this time.

SO ORDERED.

December 21, 2005.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE